IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 25038 of 2007(E)

PETITIONERS:

1. MRS.BINDU JOSEPH, W/O.CHETTUPUZHA JOSEPH, CHETTUPUZHA HOUSE, NOW RESIDING AT 212 - TURNDURIBRAV WILD WOOD, MISSOURI STATE, AMERICA, REPRESENTED BY POWER OF ATTORNEY, SRI.A.V.JOSE.

2. MRS.BEENA THOMAS, W/O.PATTARA THOMAS, CHELAKKOTTUKARA DESOM, CHIYYARAM VILLAGE, THRISSUR TALUK, THRISSUR DISTRICT, NOW RESIDING AT 22 BRAINWOOD ESTATE, PENNSYLVANIA STATE, AMERICA, REPRESENTED BY POWER OF ATTORNEY SRI.A.V.JOSE.

BY ADV. SRI.V.P.K.PANICKER

RESPONDENTS:

1. THE CORPORATION OF THIRUVANANTHAPURAM REPRESENTED BY ITS SECRETARY, THIRUVANANTHAPURAM.

2. THE TOWN PLANNING OFFICER, THIRUVANANTHAPURAM.

3. S.M.KHAN, S/O.SYED MOHAMMED, RESIDING AT T.C. 4/902, PIPELINE ROAD, KOWDIAR, THIRUVANANTHAPURAM.

4. NABHEEZAKHAN, W/O.S.M.KHAN, RESIDING AT T.C.4/902, PIPELINE ROAD, KOWDIAR, THIRUVANANTHAPURAM.

R1 BY ADV.SRI.N.NANDAKUMARA MENON
R3 BY ADV. SRI.M.R.ANANDAKUTTAN
SMT.M.HEMALATHA
SRI.R.S.MADHU
SRI.MAHESH ANANDAKUTTAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C) No.25038 of 2007

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Dated: 18th September, 2007

JUDGMENT

Along with the counter affidavit the third respondent has produced copy of Ext.R3(h) order. Mr.V.P.K.Panicker, counsel for the petitioners submits that till this moment Ext.R3(h) order has not been communicated to the petitioners. In view of Ext.R3(h) order, the first prayer in the Writ Petition cannot be granted. I dispose of the Writ Petition directing the 1st respondent-Corporation to communicate Ext.R3(h) order to the petitioners at the earliest and at any rate within three weeks from today. It is open to the petitioners to have their statutory remedy on Ext.R3(h). If the petitioners file an appeal before the Tribunal for Local Self Government Institutions within ten days of their receiving Ext.R3(h) communication pursuant to this judgment, the Tribunal will entertain the appeal as one file on time and dispose of the same in accordance with law.

srd **PIUS C.KURIAKOSE, JUDGE**